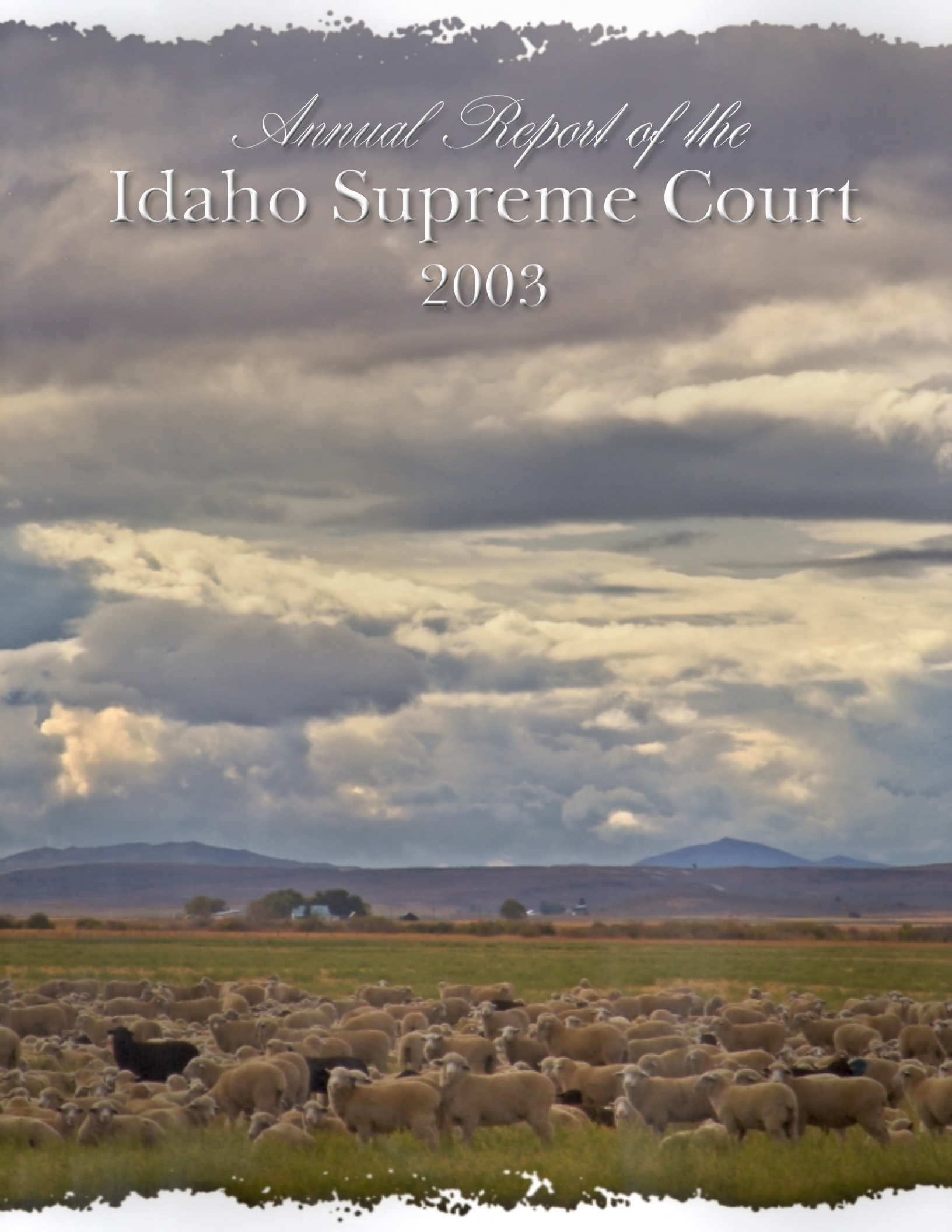


Annual Report of the
Idaho Supreme Court
2003



Message from the Chief Justice

Again during 2003, Idaho's judicial system was challenged by social as well as legal issues; by the need to make courts accessible to the public; and by increasing caseloads. We are blessed in Idaho with a strong working relationship among the three branches of government. Through this partnership, we have been able to accomplish innovations, which often elude other states.

Our drug courts, court assistance offices, mental health courts and family services, to mention a few of our successful initiatives, are the direct result of joint efforts among the executive, legislative and judicial branches of government.

When I consider the complex social problems that confront our courts, no area is more troubling to me than the impact of drug and alcohol abuse on every aspect of life. There is no question we all pay for the addictions of a few. Drug courts have been a bright light in an otherwise bleak picture of society's inability to curb illegal drug and alcohol use.

We now have 30 drug courts operating in Idaho, involving more than 750 offenders. In a recent evaluation of our longest standing drug courts in Kootenai and Ada Counties, offenders from both courts had lower recidivism rates in contrast to comparison groups. Only 19% of the Ada County drug court graduates were arrested during the study period, compared to 77% of those who had failed to complete drug court. The study concludes that retention in drug courts is a key factor in lowering recidivism.

We also continue to help families and children who find themselves involved with the legal system.

- ⚖️ Federal and state guidelines are in place to reduce the amount of time children spend in foster care.
- ⚖️ We now have parenting coordinators available in the five most populous districts.
- ⚖️ Children from an abusive home can have supervised visitation so they can continue to see both parents in a safe environment.
- ⚖️ The state's first family violence court, started last year in Ada County, has expanded to include over 500 related criminal cases so that a family's custody, divorce, support and domestic violence issues can all be resolved by one judge, familiar with the entire family history and with the resources necessary to promote the safety of victims and their children and hold offenders accountable.

The ever-increasing numbers and complexity of cases being filed in our courts remains a major concern. Felony drug case filings have doubled since 1998, while district court civil filings have increased by 31%. Judges are handling significantly more cases in less time, and without any new judicial positions over the last six years. Because we have been able to attract and keep judges working even after retirement, we continue to meet our time standards and provide quality justice and we continue to undertake the many innovations needed in these challenging times.

All of these accomplishments have come during a time of budget cuts and strict fiscal discipline. Throughout these lean times, the judges of Idaho have continued to do more with less. I applaud the incredible efforts of every one of our judges.

Chief Justice
Linda Copple Trout



Judicial Highlights 2003

Tight Budgets, Fiscal Restraint

Idaho's courts coped with another extremely tight budget during 2003. The Idaho Legislature adopted a 2% liquor surcharge measure during the 2003 legislative session with all the revenue dedicated to funding of drug courts, family court services, and court assistance offices.

Judicial Highlights (cont.)



Idaho – Technology Leader

Significant progress continues in the enhancement of technology in Idaho's court system. Twenty-two counties are now using the new ISTARS case management system. A jury management system was developed and is being pilot tested in Bannock County. Extensive system development to improve the monitoring of foster care cases also occurred in 2003. Finally, a module for the tracking of individuals participating in Idaho's drug courts was completed and is being used by several drug courts across the state.

Judge Dennard Heads Court Assistance Offices

The Honorable Michael Dennard, an Ada County Magistrate Judge, assumed the position of Project Director for Idaho's Court Assistance Offices during 2003. Judge Dennard replaced Pat Costello who assumed full time teaching responsibilities at the University of Idaho.

Senior/Traveling Judge Utilization Up

Senior (retired) judges continue to play a critical role in assisting the Judiciary resolve the increasing number of cases filed in courts statewide. There are now 27 senior judges and 6 Plan B senior judges that are available to be assigned cases throughout the state. Over 1,200 days are budgeted for senior judges this fiscal year. The use of senior judges has proven to be of great service to the citizens of this state in resolving cases fairly and efficiently.

Leadership Conferences Spawn Changes

Continuing to enhance the quality of judicial leadership in Idaho remained an important focus of the state's courts during 2003. Conference participants during the year considered various methods to strengthen the role of judges and court administrators in the administration of judicial districts and in the development of statewide policy. The immediate past-president and president-elect of the Magistrate Judges Association were added as voting members of the court's Administrative Conference.

Idaho's Top Judicial Awards Go To Bannock County Judges

Sixth District Judge Randy Smith and Magistrate Judge Bryan Murray are this year's recipients of the top awards presented annually in recognition of significant contributions to the state judiciary.

Judge Smith was honored with the prestigious George G. Granata, Jr. Award for Professionalism. Judge Smith has served as Sixth District Judge in Pocatello since 1996 and currently also serves as presiding judge of the felony drug court in the district. The Granata Award for Professionalism is named after the late District Judge George Granata and is presented to the trial judge who best exemplifies the professionalism that Judge Granata demonstrated in more than 20 years of service on the bench.

Judge Murray received the Douglas C. Kramer Award in recognition of excellence in judicial administration in Idaho. Judge Murray has been a Magistrate Judge for nine years, assigned to Juvenile Court, where he has had responsibility for juvenile probation and detention.

The Kramer Award is presented annually in honor of the career and contributions of retired Blaine County Judge Douglas C. Kramer.



Judicial Highlights (cont.)

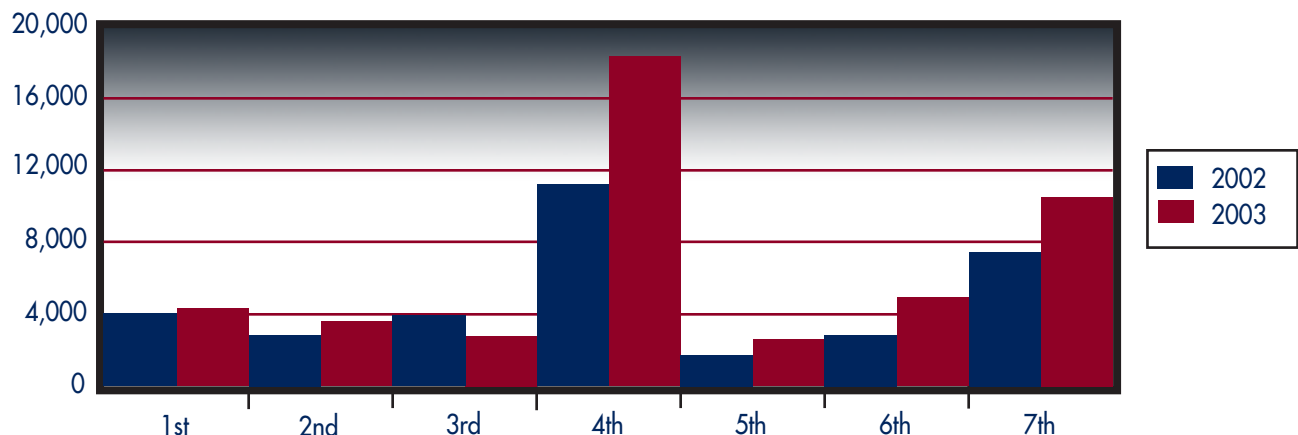
Family Court Services Expand

In 2003, over 48,000 Idahoans benefited from the array of coordinated family services now available in all counties. Family Court Service Coordinators provided access to alternative dispute resolution, mediation, parent education, effective co-parenting classes, supervised visitation, or other services responding to unique family needs. Idahoans involved in family law cases and other civil matters received help from Court Assistance Offices, which serve as a one-stop clearinghouse for access to legal services, and provision of information on court procedures, forms, and other resources. Court Assistance Officers now serve all

judicial districts, with offices located in 26 counties. More limited services are provided by Deputy Court Clerks in the remaining 18 counties.

The Legislative creation of the dedicated fund last session to maintain and support drug courts, family court services, and court assistance services provided a stable financial base and a solid foundation for future developments and expansion of these important services.

IDAHOANS SERVED BY DISTRICT





Judicial Highlights (cont.)

Drug Court Participant Report as of January, 2004

Drug Courts Show Results

At the end of December 2003, Idaho drug courts completed five years of providing an important sentencing alternative, an option now available to judges in every judicial district. More than 250 defendants met stringent requirements to graduate from drug court during 2003. Eleven drug-free babies were born to participants. Idaho's first independent outcome evaluation documented that drug courts were effective in reducing criminal recidivism. Drug courts clearly are making a difference in the lives of our citizens, the safety of our communities, and in the pocketbooks of Idaho's taxpayers.

DISTRICT	# OF DRUG COURTS	STATE FUNDED PARTICIPANTS	GRANT/OTHER FUNDED PARTICIPANTS	TOTAL DISTRICT PARTICIPANTS
District One	5	68	74	142
District Two	4	43	-	43
District Three	2	59	-	59
District Four	2	-	157	157
District Five	3	73	2	75
District Six	5	117	2	119
District Seven	10	150	16	166
Total Drug Courts/Participants	32	510	251	761

Judicial District Highlights



First Judicial District

- ⚖ Benewah County had eight graduates from Drug Court by the year's end, bringing the total to seventeen, with one of this year's graduates becoming the transitional housing manager.
- ⚖ Bonner County installed the new ISTARs system, and Boundary County updated equipment and software to enhance capabilities and record retention procedures.
- ⚖ The Kootenai County DUI Court gained national recognition from the National Drug Court Institute, the National Commission Against Drunk Driving and the National Highway Traffic Safety Administration, as the first "problem-solving" court in the State to utilize the services of lawyer pro tem judges.

Second Judicial District

- ⚖ The 2nd District's Family Court Services Advisory Board received funding allowing the addition of a Family Court Services Officer, Al Cole. Mr. Cole has a Master's degree in Developmental Psychology and extensive experience as a chemical dependency counselor, and experience working with families.
- ⚖ Drug Courts in the Second District have supervised 69 clients since inception. The District has held eight graduations, with six clients attending college and three have obtained their GED.
- ⚖ The Juvenile Drug Court team has been accepted into the Juvenile Drug Court Planning Initiative, a series of three federally funded drug court workshops.

Third Judicial District

- ⚖ A new Quad County Felony Drug Court was established in the Third Judicial

District serving Adams, Gem, Payette and Washington counties. Judge A. Lynne Krogh presides over the weekly sessions of the court.

- ⚖ Judge Gregory Culet assumed responsibility of the Canyon County Felony Drug Court from Senior Judge Gerald Weston. The program had twenty graduates during the calendar year and two more drug free babies were born to participants. A total of twenty-eight children are now living in drug free homes.
- ⚖ The area used for the law library in Canyon County will be remodeled into a courtroom capable of handling jury trials. This new space will allow the expanded use of senior judges to assist in reducing delays.

Fourth Judicial District

- ⚖ A "Focus on Children" class was created for parents involved in divorce, modification or paternity related cases. Out of concern for the children involved in these cases, the judges of the Fourth Judicial District order all parents to attend the Focus on Children class.
- ⚖ For the second year, Family Court Services received a Federal grant award from the Children's Bureau, administered by the Rocky Mountain Quality Improvement Center. The grant project is a highly collaborative service design that involves comprehensive case management and funding for domestic violence and substance abuse treatment, as well as parenting programs addressing child abuse and neglect issues.



- ⚖ The Ada County court web site <http://www2.state.id.us/fourthjudicial/> now provides daily on-line access to all criminal court calendars. There are also additional pages for a judicial directory, court interpreter services, the marshal's office and the guardianship-monitoring program.

Fifth Judicial District

- ⚖ Family Court Services has expanded programs with projects such as Parenting Apart, Sandcastles, supervised visitation, mediation, and alternative dispute resolution, with plans for expanding the children's program to the rest of the district in 2004.
- ⚖ The district's Status Offender program is currently operating in six of the eight counties.
- ⚖ The Honorable Barry Wood was appointed Administrative District Judge for the Fifth Judicial District, and the District had a total of four new judges taking office this year, two magistrate judges and two district judges.

Sixth Judicial District

- ⚖ Judge William H. Woodland, who served as both a magistrate judge and as a district judge for the last twenty-five years, announced his retirement. Judge Ronald E. Bush was appointed as his replacement.

- ⚖ DUI/Drug Courts in the Sixth District reported many successes including, Judge Dan McDougall's fourteen graduates, Judge Mark Beebe's report of sixteen graduating from his court and Judge David Evans with two individuals very close to graduating. Judge Randy Smith had five clients graduate from his eighteen-month felony drug court. Since the juvenile drug court's inception two years ago, Judge Murray has graduated twenty-nine, with some being parents of the juveniles.
- ⚖ Oneida County received a federal drug court grant to implement an intensive DUI/Drug Court. Administrative District Judge Don L. Harding and Sixth District Magistrate Judge David L. Evans will work together to create a system that treats both misdemeanants and felons.

Seventh Judicial District

- ⚖ Construction was completed in Fremont County for a five county Juvenile Detention Facility that expands capacity from twenty-two beds to fifty-six beds.
- ⚖ A combination of thirteen Magistrate and District Judges preside over Felony and Misdemeanor Drug Courts in Bingham, Bonneville, Jefferson, Madison, Fremont and Teton Counties. Mental Health Felony/Misdemeanor Court, with two years of operation in Bonneville County, was expanded to a Mental Health Diversion Court.
- ⚖ Family Drug Court continues it's development in Bonneville County and Juvenile Drug Courts continue to expand in Bingham, Bonneville, and Jefferson Counties, with a new Juvenile Drug Court initiated in Madison County.

New Judges, Retirements, and Transitions in 2003

SUPREME COURT

*Honorable Roger S. Burdick
Supreme Court Justice
August 2003*

DISTRICT COURT

5th Judicial District

*Honorable John R. Butler
District Judge
November 2003*

*Honorable Rick L. Bollar
Magistrate Judge
Cassia County
November 2003*

*Honorable Rich Bevan
District Judge
November 2003*

6th Judicial District

*Honorable Ron Bush
District Judge
November 2003*

*Honorable Robert C. Naftz
Magistrate Judge
Bannock County
January 2004*

SUPREME COURT

*Justice Jesse R. Walters, Jr.
Supreme Court Justice
Retired July 2003*

DISTRICT COURT

5th Judicial District

*Honorable Nathan Higer
District Judge
Retired October 2003*

*Honorable Roy C. Holloway
Magistrate Judge
Cassia County
Retired October 2003*

*Honorable Roger S. Burdick
District Judge
Appointed to Supreme Court
August 2003*

6th Judicial District

*Honorable W. H. Woodland
District Judge
Retired September 2003*

*Honorable Dan McDougall
Magistrate Judge
Bannock County
Retired January 2004*



IDAHO
SUPREME
COURT
2003

ANNUAL REPORT 2003



HON. LINDA COPPLE TROUT
Chief Justice



HON. GERALD F. SCHROEDER
Vice Chief Justice



HON. WAYNE L. KIDWELL
Justice



HON. DANIEL T. EISMANN
Justice



HON. ROGER S. BURDICK
Justice

2003 Administrative District Judges

Hon. Charles Hosack, 1st Judicial District
Hon. John Stegner, 2nd Judicial District
Hon. James C. Morfitt, 3rd Judicial District
Hon. Darla Williamson, 4th Judicial District
Hon. Barry Wood, 5th Judicial District
Hon. Don L. Harding, 6th Judicial District
Hon. James C. Herndon, 7th Judicial District

2003 Trial Court Administrators

Hon. Don Swanstrom, 1st Judicial District
Steven Caylor, 2nd Judicial District
Dan Kessler, 3rd Judicial District
Larry Reiner, 4th Judicial District
Diane Burrell (Asst.), 4th Judicial District
Linda Wright, 5th Judicial District
Suzanne Johnson, 6th Judicial District
Burton Butler, 7th Judicial District

Contributing to the Report:

Patricia Tobias, Administrative Director of the Courts
John Peay, Director of Information Systems
Corrie Keller, Director of Court Services
Shirley Throop, Executive Assistant

Justice Wayne Kidwell of the Idaho Supreme Court has graciously supplied the photographs that appear in the Court's 2003 Annual Report. Justice Kidwell's photographs beautifully represent the incredible splendor of Idaho.



Caseload Highlights

- ⚖ 956 new appeals were filed with the Supreme Court during 2003.
- ⚖ Total trial court filings were down 1.8% from the total reported at the end of 2002. Statewide, a total of 459,496 cases were filed. The majority of the decline in case filings can be attributed to the drop in minor infraction cases entering the system.
- ⚖ Felony drug cases continue to flood into Idaho's district courts. A total of 4,037 felony drug cases were filed in the district courts, a 21.7% increase over what were reported just one year earlier. Ten years ago, only 1,175 felony drug cases were filed.
- ⚖ District court civil filings for 2003 remained virtually static from the number reported during 2002. A total of 7,102 civil actions were filed in the district courts during 2003.
- ⚖ Domestic violence filings increased by 2.2% during 2003. Across Idaho, 5,906 domestic violence filings were reported for 2003.
- ⚖ For the third straight year, misdemeanor DUI filings were down. There were 10,372 misdemeanor DUI filings reported during 2003, down 4.9% from the number reported at the end of 2002.
- ⚖ Small claims filings increased to their highest point in the past ten years. 21,468 small claim actions were filed during 2003.
- ⚖ For the fourth consecutive year, juvenile cases filings were down from the number reported a year before. During 2003, 12,379 juvenile cases were filed statewide.
- ⚖ Infraction filings continued to decline. There were 4.4% fewer infractions reported during 2003 than just one year before.

District Court Cases Filed

	1996	1997	1998	1999	2000	2001	2002	2003	% Change 2002-2003	% Change 1996-2003
Civil	5,332	5,664	5,566	5,909	5,881	6,759	7,274	7,198	-1.1%	+34.9%
Criminal	10,234	10,544	11,510	11,126	11,118	11,262	11,245	12,227	+8.7%	+19.4%
Special	365	390	360	465	378	550	590	594	+0.6%	+62.7%
TOTAL	15,931	16,598	17,436	17,500	17,377	18,571	19,109	20,019	+4.7%	+25.6%

Magistrate Division Cases Filed

	1996	1997	1998	1999	2000	2001	2002	2003	% Change 2002-2003	% Change 1996-2003
Civil	65,258	69,787	67,829	69,809	72,797	74,503	79,780	83,137	+4.2%	+27.3%
Criminal	143,185	147,497	155,709	151,048	144,637	136,594	128,691	126,462	-1.8%	-11.7%
Infractions	212,423	215,410	231,764	227,315	235,453	243,295	231,894	221,848	-4.4%	+4.4%
Juvenile	15,845	15,573	14,856	13,725	13,831	13,725	12,508	12,379	-1.1%	-21.9%
Special	13,266	13,929	13,635	14,731	15,009	15,179	15,353	12,671	-11.5%	-4.5%
TOTAL	449,977	462,196	483,793	476,628	481,727	483,296	468,226	459,497	-1.9%	+2.1%

